

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

Civil Docket No. 11-10906

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**DAVID E. FORTIN AND** \*  
**SUSAN M. FORTIN,** \*  
**Plaintiff,** \*

**v.** \*

**AURORA LOAN SERVICES, LLC,** \*  
**AND/OR HIS SUCCESSOR/S/,** \*  
**INDIVIDUALLY, AND IN HIS** \*  
**OFFICIAL CAPACITY AS,** \*  
**BENEFICIARY, AND/OR** \*  
**SUBSTITUTION TRUSTEE, TRUSTEE,** \*  
**OTHER TITLES UNKNOWN TO** \*  
**PLAINTIFFS, RELIANT MORTGAGE** \*  
**COMPANY LLC AND/OR HIS** \*  
**SUCCESSOR/S/, INDIVIDUALLY,** \*  
**AND IN HIS OFFICIAL CAPACITY AS,** \*  
**SUCCESSOR TRUSTEE, APPOINTED** \*  
**BY MORTGAGE ELECTRONIC** \*  
**REGISTRATION SYSTEMS, LLC** \*  
**(AKA MERS), SECURED BY** \*  
**FOREGOING DEED OF TRUST** \*  
**NOTED HEREIN, AND JOHN DOES** \*  
**(UNKNOWN PARTIES CLAIMING** \*  
**RIGHTS TO SAID DEED OF TRUST** \*  
**AND NOTE HEREIN, (1-10,000), ET AL,** \*  
**Defendants.** \*

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**DEFENDANT'S MOTION TO DISMISS**

Defendants Aurora Loan Services, LLC ("Aurora") et. al, by and through its attorneys,  
Doonan, Graves & Longoria, LLC, hereby moves this Court for an order dismissing the  
Plaintiffs' Complaint. As further detailed in the Defendants' accompanying Memorandum of  
Law, the Plaintiffs' Complaint fails to set forth plausible claims for relief.

WHEREFORE, the Defendants respectfully request that this Court grant their motion and for such other and further relief as this Court may deem just and proper.

Respectfully Submitted,

Aurora Loan Services, LLC,  
By its attorneys,

Dated: 7/26/2011

/s/ Reneau J. Longoria  
DOONAN, GRAVES & LONGORIA LLC  
Reneau J. Longoria, Esq. (BBO# 635118)  
John A. Doonan, Esq. (BBO# 547838)  
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**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)**

I, Reneau J. Longoria, attorney for the Defendant, hereby certify that on 7/25/2011, I contacted the Plaintiffs to confer and attempt in good faith to resolve and narrow the issues.

/s/Reneau J. Longoria  
Reneau J. Longoria, Esq.

### **CERTIFICATE OF SERVICE**

I, Reneau J. Longoria, hereby certify that a true and correct copy of the within Motion to Dismiss and supporting papers has been served by electronic notification and/or placing same in the United States Mail, postage prepaid, on 7/26/2011, to:

David E. Fortin  
15 Forest Street  
Pembroke, MA 02359

Susan M. Fortin  
15 Forest Street  
Pembroke, MA 02359

Reliant Mortgage Company LLC  
100 Cummings Center, Suite 303C  
Beverly, MA 01915

/s/ Reneau J. Longoria  
Reneau J. Longoria, Esq.